

## REMARKS

In accordance with the forgoing, claims 46-81 stand pending and rejected with claims 1-45 and 82-83 withdrawn from consideration; in addition, a portion of the specification is objected to.

Herewith, Applicants amend the specification, amend independent claims 46, 58, and 72 and dependent claim 47, add no new claims and cancel no claims.

Entry and favorable consideration of the amendments and remarks presented herewith is earnestly solicited.

Applicants aver that the instant Response is intended to place the application in condition for allowance without introducing any issues or new matter requiring additional consideration or searching by the Examiner.

### I. Objection to the Specification

An informality identified by the Examiner (at pages 10 and 11) is herewith corrected and the Applicants thank the Examiner for the careful scrutiny of said specification.

### II. Rejections under 35 U.S.C. 102

Claims 46, 52, 53, 56, and 57 stand rejected as allegedly anticipated by the '069 patent to Weaver (Weaver).

Applicants respectfully traverse the ground of rejection.

For Weaver to anticipate the rejected claims it must disclose *each and every claim limitation* and if not, the rejection cannot stand.

With respect to the rejected claims Applicants respectfully suggest that Weaver fails to disclose or depict a "wholly-implantable medical device" for carrying out the claimed method(s).

As such Weaver does not support the rejection since all rejected claims include this limitation.

Applicants respectfully request that the ground of rejection based solely upon Weaver be withdrawn so the claimed invention may proceed to issuance as U.S. Letters Patent.

### **III. Rejections under 35 USC §103**

The remaining claims are all rejected over Weaver in view of additional references.

However, neither Weaver nor any of the additional references include any disclosure regarding a wholly-implantable medical device they cannot support a *prima facie* obviousness rejection and these grounds also fail to form a basis for a proper obviousness rejection.

### **IV. Conclusion**

It is believed that all pending claims are now in condition for allowance. Applicants request that the Examiner issue a Notice of Allowance in due course so the claimed invention may timely pass to issuance as U.S. Letters Patent.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to these matters. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

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/Paul H. McDowall/  
Paul H. McDowall  
Reg. 34,873  
Telephone: (763) 514-3351  
Customer No. 27581